

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2667

Introduced by Assembly Member Hill

February 19, 2010

An act to amend Section 153 of the Business and Professions Code, relating to the Department of Consumer Affairs 27363.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2667, as amended, Hill. ~~Department of Consumer Affairs.~~
Vehicles: child passenger restraint systems.

(1) Existing law requires a public or private hospital, clinic, or birthing center, at the time of discharge of a child who is less than 6 years of age or who weighs less than 60 pounds, to provide and discuss information on the current law requiring child passenger restraint systems with the parents or the person to whom the child is released.

This bill would additionally require a public or private hospital, clinic, or birthing center, at the time the child is discharged, to discuss information on where, and at no cost, the child passenger restraint system can be inspected and proper installation instruction can be given, by providing appropriate contact information, including, among other things, the telephone number of the local office of the Department of the California Highway Patrol. Because this bill would expand an existing crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Under existing law, the Department of Consumer Affairs is comprised of various regulatory boards and is under the control of the Director of Consumer Affairs. Existing law authorizes the director to investigate the work of these boards and to obtain copies of specified records and data in their possession.~~

~~This bill would make a nonsubstantive, technical change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares the following:*

2 *(a) Motor vehicle crashes are the leading cause of death of*
3 *children, 3 to 14 years of age.*

4 *(b) Many of these deaths can be prevented through the proper*
5 *use of child safety seats.*

6 *(c) According to the National Highway Traffic Safety*
7 *Administration (NHTSA), child safety seats can reduce fatal injury*
8 *by 71 percent for infants and by 54 percent for toddlers, 1 to 4*
9 *years of age.*

10 *(d) Unfortunately, according to a recent study, over 90 percent*
11 *of parents and caregivers believe their child safety seats are*
12 *installed correctly, but NHTSA research shows that seven out of*
13 *10 children are improperly restrained, putting them at risk for*
14 *serious injury or death in a crash.*

15 *SEC. 2. Section 27363.5 of the Vehicle Code is amended to*
16 *read:*

17 27363.5. (a) ~~Every~~A public or private hospital, clinic, or
18 birthing center; shall, at the time of the discharge of a child, provide
19 to and discuss ~~information~~ with the parent or person to whom the
20 child is released, the following:

21 (1) ~~Information on the current law requiring child passenger~~
22 ~~restraint systems to the parents or the person to whom the child is~~
23 ~~released when.~~

24 (2) *Information on where, and at no cost, the child passenger*
25 *restraint system can be inspected and proper installation*
26 *instruction can be given, by providing appropriate contact*

1 *information. This contact information may include, but is not*
2 *limited to.*

3 *(A) To find a nearby location, call 1-866-SEAT-CHECK or visit*
4 *www.seatcheck.org.*

5 *(B) The telephone number of the local office of the Department*
6 *of the California Highway Patrol.*

7 *(C) The Internet Web site for the National Highway Traffic*
8 *Safety Administration's Child Safety Seat Inspection Station*
9 *Locator.*

10 *(b) Subdivision (a) applies when at least one of the following*
11 *conditions is met:*

12 *(1) The child is less than six years of age.*

13 *(2) The child weighs less than 60 pounds.*

14 ~~*(b)*~~

15 *(c) A public or private hospital, clinic, or birthing center shall*
16 *not be responsible for the failure of the parent or person to whom*
17 *the child is released to use a child passenger restraint system.*

18 ~~*(e) This section shall become operative on January 1, 2002.*~~

19 *SEC. 3. No reimbursement is required by this act pursuant to*
20 *Section 6 of Article XIII B of the California Constitution because*
21 *the only costs that may be incurred by a local agency or school*
22 *district will be incurred because this act creates a new crime or*
23 *infraction, eliminates a crime or infraction, or changes the penalty*
24 *for a crime or infraction, within the meaning of Section 17556 of*
25 *the Government Code, or changes the definition of a crime within*
26 *the meaning of Section 6 of Article XIII B of the California*
27 *Constitution.*

28 ~~*SECTION 1. Section 153 of the Business and Professions Code*~~
29 ~~*is amended to read:*~~

30 ~~*153. The director may investigate the work of the several*~~
31 ~~*boards in his or her department and may obtain a copy of all*~~
32 ~~*records and full and complete data in all official matters in*~~
33 ~~*possession of the boards, their members, officers, or employees,*~~
34 ~~*other than examination questions prior to submission to applicants*~~
35 ~~*at scheduled examinations.*~~